



United States Department of the Interior

BUREAU OF RECLAMATION
Central Valley Operations Office
3310 El Camino Avenue, Suite 300
Sacramento, California 95821

IN REPLY
REFER TO:

CVO-100
ENV-7.00

MAR 15 2004

Mr. Rodney McInnis
Acting Regional Administrator
National Marine Fisheries Service
501 West Ocean Blvd., Suite 4200
Long Beach, CA. 90802-4213

Subject: Request for Initiation of Formal and Early Section 7 Consultation and Transmittal of Biological Assessment (BA) Addressing Coordinated Operations of the Central Valley Project (CVP), State Water Project (SWP), and the Operational Criteria and Plan (OCAP)

Dear Mr. McInnis:

The purpose of this letter is to request formal consultation on the coordinated operations of the CVP and SWP, and to request early consultation on specific future facilities and actions identified herein. In concert with your staff and others, Reclamation and the California Department of Water Resources (DWR) have been developing an OCAP and related BA addressing the current and future operation of the State and Federal water facilities. The documents address how the projects would be operated in the future as several proposed projects come on line and as demands increase. This consultation request is only on the actions undertaken by Reclamation and DWR in operating the CVP and SWP. No incidental coverage is requested for actions of non-CVP or non-SWP individuals or entities on lands not owned or controlled by the CVP or SWP. We provided a copy of the BA dated February 13, 2004, to your staff and have continued informal consultation. We are sending under separate cover a revised copy of the BA in which we have refined the project description and added information to the effects analyses.

As a prospective applicant, DWR has requested by letter dated March 12, 2004, that Reclamation enter into early consultation with NOAA Fisheries and the U.S. Fish and Wildlife Service on (1) future operation of the State's Harvey O. Banks Pumping Plant at 8,500 cubic feet per second (Banks 8500), (2) the operation of future permanent operable barriers in the South Delta, and (3) adjustments in the coordinated operation of the CVP and SWP for conveyance of up to 100,000 acre-feet of Level 2 CVP refuge water at Banks Pumping Plant and use of up to 75,000 acre-feet of CVP water to reduce SWP in-basin Bay/Delta water quality and flow requirements. The DWR also requests the following actions described in the Project Integration Proposal be included in early consultation: (1) adjustments in the coordinated operation of the CVP and SWP for conveyance of up to 50,000 acre-feet of Level 2 CVP refuge water at Banks Pumping Plant

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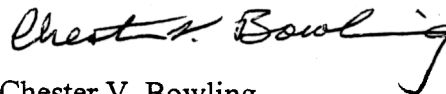
and use of up to 37,500 acre-feet of CVP water to reduce SWP in-basin obligation for Bay/Delta water quality and flow requirements; (2) upstream reservoir coordination; and (3) San Luis Reservoir coordination. As required by the Federal ESA regulations and for purposes of avoiding early consultation of highly speculative actions, DWR certifies that it, in coordination with Reclamation, intends to implement these proposed projects.

However, DWR also intends for the public to review these proposed projects as required by the National Environmental Policy Act and the California Environmental Quality Act and may modify these projects as appropriate per comments received from the public. The BA includes the description of and effects analyses for the facilities and actions for which the DWR is requesting early consultation. Reclamation will involve DWR throughout the consultation process. The goal is to receive a preliminary biological opinion (BO) for the early consultation on the same schedule as the final BO for all the other elements of coordinated CVP and SWP operations as described in the BA.

There may not be time for a formal review of draft BOs prior to the anticipated completion date of this consultation on June 30, 2004. However, we would appreciate, to the extent possible, the ability to review pertinent sections of the BOs prior to completion.

Please contact me directly at 916-979-2199 with any questions on this consultation request. Ms. Ann Lubas-Williams should continue to be contacted at 916-979-2068 with any questions related to the OCAP and BA documents.

Sincerely,



Chester V. Bowling
Operations Manager

cc: Mr. Kirk C. Rodgers
Regional Director
Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mr. Michael Aceituno
Sacramento Area Office
National Marine Fisheries Service
650 Capital Mall, Suite 8-300
Sacramento, CA 95814-4706

Mr. Carl A. Torgerson
Operations Control Office
Department of Water Resources
3310 El Camino Ave., Suite 300
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Ms. Barbara McDonnell
Environmental Services
Department of Water Resources
3251 S Street, Room 111
Sacramento, CA 95816

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Mr. Frank Michny
Regional Environmental Officer
2800 Cottage Way
Sacramento, CA. 95825-1898

Mr. Diana Jacobs
Deputy Director, Scientific Advisor
Department Fish & Game
1416 9th Street
Sacramento, CA 95814

Mr. Perry Herrgesell
Central Valley Bay-Delta Branch
Department Fish & Game
4001 North Wilson Way
Sacramento, CA 95205

Mr. Wayne White
Fish and Wildlife Service
United States Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, CA 95825



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MEMORANDUM

To: Mr. Wayne White, Field Supervisor
Fish and Wildlife Service

From: Chester V. Bowling, Operations Manager
Central Valley Operations Office

Subject: Request for Initiation of Formal and Early Section 7 Consultation and Transmittal of Biological Assessment (BA) Addressing Coordinated Operations of the Central Valley Project (CVP), State Water Project (SWP), and the Operational Criteria and Plan (OCAP)

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cc: Mr. Kirk C. Rodger
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